

September 17, 2024

City of Ottawa  
Committee of Adjustment  
101 Centrepointe Drive  
Ottawa, ON K2G 5K7

**Attention: Michel Bellemare, Secretary-Treasurer**

**Reference: 140 Iber Road, Stittsville  
Severance  
Novatech File: 124129**

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***Please note this is a revised version of the cover letter initially submitted dated August 28, 2024. The location of the proposed severance line has been moved slightly so that the setback to the existing building complies with the zoning by-law.***

Novatech has been retained by Crestpoint Real Estate (Iber Road) Inc. to prepare and file an application to sever 140 Iber Road into two lots. The property is developed with two industrial buildings that function separately and the intent is for each building to be on its own lot. The municipal address for the whole Subject Site is 140 Iber Road, but the northern building is also informally known as 130 Iber Road.

### **Severance Application**

It is proposed to sever Parts 1, 2 and 3 on the enclosed Draft Reference Plan, leaving Parts 4 and 5 as the retained lands. The intent is for each of the existing buildings to be on its own lot. The services, access and parking for each building are separate and will be located on their respective severed lots.

### **Existing Conditions**

The Subject Site is a 3.01 ha parcel on the northwest corner Iber Road and Harry Douglas Drive in Stittsville. To the **north** is 126 Iber Road, a single storey light industrial building occupied by an audio visual company. To the **east** across Iber Road are three single storey buildings at 135 Iber (multiple light industrial tenants), 139 Iber (tool and die company) and 145 Iber Road (occupied by a gym). Further east is 5618 Hazeldean Road, a large site currently under development for mostly residential uses. To the **south** across Harry Douglas Drive is 150 Iber Road, a single storey light industrial building currently occupied by an electrical supply company, a flooring company and a décor company. Also to the **south** is 86 Harry Douglas Drive, a two storey light industrial building. To the **west** is a residential area of single detached dwellings with frontage to Quartz Crescent.

The Subject Site is legally described as:

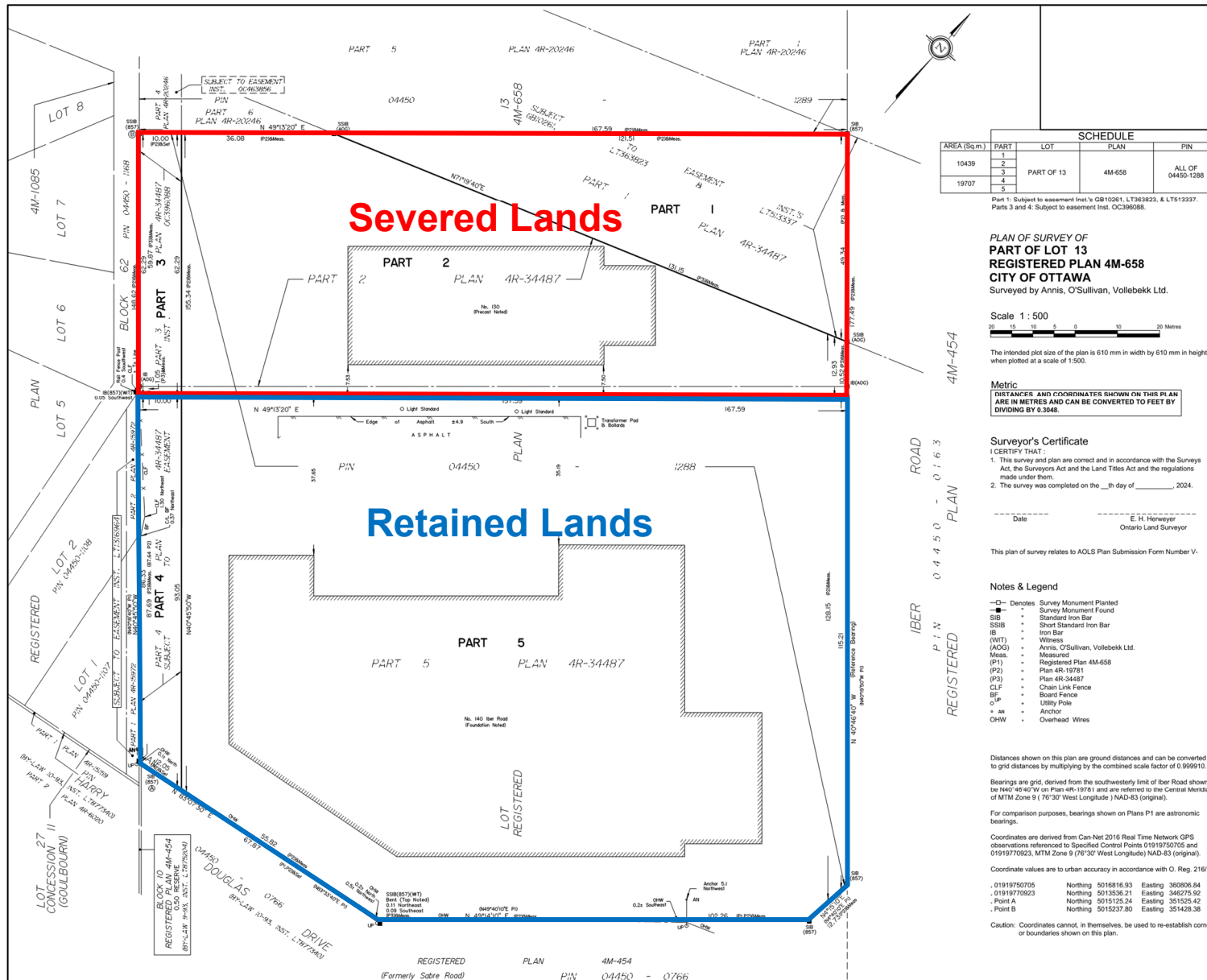
**PART OF LOT 13 PLAN 4M658, PARTS 1, 2 AND 3 PLAN 4R19781. GOULBOURN, NOW OTTAWA. S/T GB10261, LT363823, LT513337. SUBJECT TO AN EASEMENT IN FAVOUR OF CITY OF OTTAWA OVER PART 2 PLAN 4R19781 AS IN OC396088.**

The Subject Site is zoned Light Industrial with an exception (IL [1559]). It is proposed to continue the existing light industrial uses in both buildings. The exception permits and prohibits a number of uses but this does not effect the current light industrial use. The severed lots and the existing buildings on them meet the zoning provisions and no minor variances are required.

The Subject Site is shown at Figure 1 below.



**Figure 1: Subject Site and Surrounding Uses**



**Figure 2: Severance Sketch based on Draft Reference Plan**

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## Rationale

Subsection 53(1) of the Planning Act states:

*(1) An owner or chargee of land, or such owner's or chargee's agent duly authorized in writing, may apply for a consent as defined in subsection 50 (1) and the council or the Minister, as the case may be, may, subject to this section, give a consent if satisfied that a plan of subdivision of the land is not necessary for the proper and orderly development of the municipality. 1994, c. 23, s. 32; 2020, c. 34, Sched. 20, s. 2 (2).*

The Subject Site is part of a previous subdivision (4M-658) and is located in an area where existing infrastructure can support the severance. Accordingly, a further plan of subdivision is not required for the proper and orderly development of the municipality.

Subsection 53(12) of the Planning Act states:

*53. (12) A council or the Minister in determining whether a provisional consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a plan of subdivision and subsections 51 (26) and (27) and section 51.1 apply with necessary modifications to the granting of a provisional consent. 1994, c. 23, s. 32.*

This rationale will speak to the following criteria outlined in subsection 51(24) of the Planning Act.

*51(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,*

*(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

The proposed development has regard for the following matters of provincial interest:

- the supply, efficient use and conservation of energy and water;
- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- the minimization of waste;
- the orderly development of safe and healthy communities;
- the appropriate location of growth and development; and
- the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.

*(b) whether the proposed subdivision is premature or in the public interest;*

The Subject Site is part of a previous subdivision and is located in a fully developed area of the City where services are available. As such, the severance of the Subject Site is not premature and is in the public interest as it supports provincial interests as outlined in (a) above and conforms to the Official Plan as outlined in (c) below..

**(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;**

Pursuant to the Official Plan the Subject Site is in the Suburban Transect and is designated as Mixed Industrial. The existing light industrial uses will continue. The Subject Site is not within or adjacent to natural heritage features. Existing transportation and municipal servicing infrastructure is adequate for the existing uses.

**(d) the suitability of the land for the purposes for which it is to be subdivided;**

The existing buildings function as de facto separate properties, with separate services, access and parking. The intent is for each building to be on its own lot. The land is suitable for industrial purposes as was permitted through the initial subdivision. Industrial use is supported by the current zoning and Official Plan policies.

**(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;**

This is not applicable as no residential use is proposed.

**(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;**

These matters have been addressed through the subdivision approval process. Pursuant to Table 1 at Schedule C16 of the Official Plan (Road Classification and Rights-of-Way Protection) the 24 m Right of Way (ROW) protection for Harry Douglas Drive has already been taken (the ROW is 26.5 m wide at the Subject Site) and Iber Road is not listed for ROW protection.

**(f) the dimensions and shapes of the proposed lots;**

The proposed lots are large and rectangular to accommodate the existing buildings and are consistent with the existing lot fabric in Iber Road. The proposed lots will conform to the general and Light Industrial (IL) zone provisions that apply to the Subject Site.

**(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;**

There are no restrictions on the land, the existing buildings, or the adjoining land. There is an existing easement that will not be changed.

**(h) conservation of natural resources and flood control;**

Pursuant to the Official Plan Schedules, no natural resources or flooding issues were identified on the Subject Site.

*(i) the adequacy of utilities and municipal services;*

The Subject Site is connected to existing utilities and municipal services. Adequate municipal services are available to service the site.

*(j) the adequacy of school sites;*

This is not applicable as no residential use is proposed.

*(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*

No land is to be conveyed for public purposes. *the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*

There will be no change to the use and operation of the existing buildings.

*(l) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).*

Not applicable.

**Conclusion**

The application satisfies the criteria of Section 51(24) of the Planning Act as it has regard for matters of provincial interest, is not premature, is in the public interest, conforms to the Official Plan, complies with the Zoning By-law, is suitable for the land, has adequate utilities and municipal services and utilizes these services efficiently.

It is our opinion that this application represents good land use planning.

Sincerely,

**NOVATECH**



James Ireland, MCIP, RPP  
Project Manager